

Filed 3/19/20 by Clerk of Supreme Court

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2020 ND 59

David Wasley,

Appellant

v.

State of North Dakota, by and through

Workforce Safety and Insurance,

Appellee

and

NLR Personnel, LLC,

Respondent

No. 20190350

Appeal from the District Court of Williams County, Northwest Judicial District, the Honorable Joshua B. Rustad, Judge.

AFFIRMED.

Per Curiam.

Stephen D. Little, Bismarck, ND, for appellant; submitted on brief.

Jacqueline S. Anderson, Special Assistant Attorney General, Fargo, ND, for appellee; submitted on brief.

Wasley v. WSI
No. 20190350

Per Curiam.

[¶1] David Wasley appeals the district court’s judgment affirming the administrative law judge’s (ALJ) order denying Wasley’s Workforce Safety and Insurance (WSI) claim. Wasley claims the ALJ erred in finding he did not prove he sustained a compensable injury arising out of and in the course of his employment. “In reviewing an administrative agency’s factual findings, a court may not make independent findings of fact or substitute its judgment for the agency’s findings; rather, a court must determine only whether a reasoning mind reasonably could have determined the findings were proven by the weight of the evidence from the entire record.” *State by and through Workforce Safety and Insurance v. Sandberg*, 2019 ND 198, ¶ 12, 931 N.W.2d 488. We summarily affirm under N.D.R.App.P. 35.1(a)(5).

[¶2] Jon J. Jensen, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Gerald W. VandeWalle
Jerod E. Tufte